

From: Danny Calegari
To: Microsoft ATR
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Subject: Microsoft Settlement

As a consumer of computer software, and a person who uses computers and computational tools in essential ways in my work (I am a professor of mathematics at Harvard), I would like to strongly suggest that the proposed Microsoft Settlement is a bad idea. My specific objections are numerous, but I will restrict myself to just one: the PFJ does **not** go far enough in prohibiting exclusionary licensing practices by Microsoft towards ISV's. For example, programs developed with Microsoft Visual C++ may not be distributed with windows-compatible operating systems; in particular, the Microsoft Platform SDK EULA says:

"Distribution Terms. You may reproduce and distribute ... the Redistributable Components... provided that

(a) you distribute the Redistributable Components only in conjunction with and as a part of your Application solely for use with a Microsoft Operating System Product..."

This is only one of many examples; in order for the PFJ to have substance to it, it must comprehensively uphold the abilities of consumers to pick and choose combinations of free, open-source, and proprietary software to use with each other in whatever manner they see fit.

I hope you find this opinion useful.

Yours sincerely,

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